

**Menominee Indian Tribe of Wisconsin
Wild Ginseng (Mamaceqtasaeh)
Harvest/Dealer Regulations**

2016



**MENOMINEE INDIAN TRIBE OF WISCONSIN
WILD GINSENG (MAMACEQTASAEH)
HARVEST/DEALER REGULATIONS
2016**

1. General Regulations.

- a. Wild Ginseng harvest/dealer is limited to Enrolled Tribal Members only.
- b. MITW Wild Ginseng Regulations will be reviewed and harvest determined annually.
- c. The Menominee Conservation Department (MCD) will be the CITES certifier and shall submit a harvest report to the Menominee Conservation Commission (MCC) annually in November for annual regulation review.
- d. The Menominee Indian Tribe shall develop a Wild Ginseng Management Plan with consideration given to our Menominee traditions and culture.
- e. Request that all individuals that purchase Wild Ginseng be required to keep a log of all purchases. The log will include: seller's name, date of transaction, amount purchased, and seller's license number and where harvested.
- f. Log books must be provided to the Conservation Department when Wild Ginseng is certified.
- g. The Menominee Conservation Department will conduct random audits of locations where Wild Ginseng is being exchanged, delivered or purchased.

2. Definitions.

- a. "Wild Ginseng" (*Panax quinquefolius*) is defined as ginseng that is not grown, or nurtured by a person.
- b. "Green Ginseng" means a ginseng root from which the moisture has not been removed by drying.
- c. "Dried Ginseng" means a ginseng root from which the moisture has been removed after harvest. All dried wild ginseng must be certified by March 31st following year of harvest.
- d. "CITES": Convention on International Trade and Endangered Species of Wild Fauna and Flora.
- e. "Harvest/Dealer" means a person who harvest, buys or otherwise acquires or conveys wild ginseng.

3. Harvest.

- a. The Harvest Season for Wild Ginseng is between September 1st, and November 1st.
- b. No one may root, gather, or destroy Wild Ginseng outside the Harvest Season.
- c. Any harvest of the berries (seeds) produced from the Wild Ginseng Plant is prohibited.

4. Wild Ginseng Harvest/Dealers License.

- a. No Menominee Tribal Member 12 years of age and over, may harvest/deal Wild Ginseng without a valid Wild Ginseng Harvest/Dealer license issue by the Menominee Tribal License and Permit Department.
- b. The Menominee Conservation Commission shall establish rules not limited to the following:
 - i. Limit the quantity of Wild Ginseng that each Tribal member may harvest.
 - ii. Limit the quantity of Wild Ginseng that each Tribal Member may harvest.
 - iii. Restrictions on areas where Wild Ginseng may be harvested, and methods which may be used to harvest Wild Ginseng.

5. Limit of Plants to be harvested.

- a. Wild Ginseng roots shall be a minimum age of a 10 year old root.
- b. Wild Ginseng roots younger than 10 years old; including sleeper roots (roots found at site without a stalk), shall not be harvested and must be replanted immediately at the parent site.
- c. Only plants with Red Berries can be harvested that meet the 10 year old criteria.

6. Seed Planting.

- a. Wild Ginseng seed (berries) may not be harvested, sold, or transported away from the Parent Plant.
- b. When harvesting Wild Ginseng, harvesters shall plant all of the seeds (berries) from harvested plants in the vicinity of the parent plants in a manner which encourage their germination and growth.
- c. To properly plant the seeds, squeeze the seeds from the red berries and plant in the vicinity of the parent plant, six inches apart and 1 ½ inches deep in loosely mulched soil. Cover with leaf litter.
- d. Importation of any foreign Ginseng seed onto the Menominee Indian Reservation is strictly prohibited.

7. Personal Use.

- a. All Wild Ginseng harvested for personal use must be certified.
- b. Harvesters do have the option of retaining the stalk and leaves; minus the berries, for personal use only.

8. Certification.

- a. All Wild Ginseng harvested from the Menominee Indian Reservation must be certified by the Harvester/Dealer at the Menominee Conservation Department during Certification Hours.
- b. Hours of Certification shall be developed by the Menominee Conservation Department.
- c. Certification methods shall follow procedures developed by the Menominee Conservation Department and the MCC.
- d. Any transportation, or importation of Uncertified Wild Ginseng onto or off of the Menominee Indian Reservation is prohibited; unless the person that is transporting Wild Ginseng has the appropriate license (Tribal, State, or Federal), and is in possession of a valid certification form from the place or county of harvest.

9. Evidence.

- a. The possession of Green Wild Ginseng outside the Harvest Season of September 1st, and October 15th is prima face evidence of a violation of this section.

10. Enforcement/Penalties.

- a. Violation of this ordinance shall be enforced by the Menominee Conservation Wardens, the Menominee Tribal Police, and Federal Enforcement Agents acting in their official capacity.
- b. All penalties in reference to Wild Ginseng Harvest regulations herein can be found in Chapter 287, §287-9 with fines ranging from: \$10.00-\$5000.00
- c. All Wild Ginseng plants harvested younger than 10 years old will be confiscated by the Menominee Conservation Department.
- d. All confiscated Wild Ginseng will be handled annually by the MCD through the following methods:
 - i. All viable plants/roots will be replanted by MCD Wardens in a manner and timeframe that will promote survival.
 - ii. Any plants/roots no longer viable will be ground-up and redistributed to Tribal Elders interested in traditional uses.

Signature Page

By Menominee Tribal Legislature motion dated: July 21, 2016, the aforementioned 2016 Wild Ginseng Harvest/Dealer Regulations were adopted.

Joan Delabreau 7-28-16
Joan Delabreau
Menominee Tribal Chairwoman/date

Gary J. Frechette 8/1/2016
Gary Frechette
Menominee Conservation Commission Chairman/date

MENOMINEE TRIBAL LEGISLATURE-REGULAR
JULY 21, 2016

A MOTION

GARY BESAW: I move to approve the 2016 Wild Ginseng Harvest/Dealer Regulations sent forward from the Menominee Conservation Commission.

DOUGLAS COX: I second the motion.

CHAIRMAN: All those in favor of the motion signify by saying Aye.

Opposed. The Motion is carried: 6 for, 0 opposed, 0 abstentions, and 2 absent (Boivin and Dixon).

24 (a) (1) on agenda

Joan Delabreau

Joan Delabreau, Tribal Chairwoman
MENOMINEE INDIAN TRIBE OF WISCONSIN